



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,660	06/24/2003	Osamu Ichikawa	2003_0840A	9534
513	7590	06/20/2005	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P.			AMARI, ALESSANDRO V	
2033 K STREET N. W.			ART UNIT	
SUITE 800			PAPER NUMBER	
WASHINGTON, DC 20006-1021			2872	

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/601,660

Applicant(s)

ICHIKAWA, OSAMU

Examiner

Alessandro V. Amari

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 16 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oesterholt et al US 6,130,514 in view of Park et al US 5,731,375.

In regard to claim 1, Oesterholt et al teaches (see Figures 3, 5, 7, 8) a door mirror set plate comprising a base plate (102) attached to a vehicle; a cylindrical support shaft (101) which is vertically provided on the base plate integrally therewith and rotatively supports door mirror body storing a mirror plate; a curved surface section (153) which is embedded around a base (103) of the support shaft on the base plate wherein the curved surface section curvedly connects an external surface of the support shaft with a top surface (150) of the base plate, and wherein the curved surface section is disposed below the top surface of the base plate as shown in Figure 5A.

Regarding claim 2, Oesterholt et al teaches that the curved surface section is formed like a groove at an outside periphery of the support shaft base as shown in Figure 5A.

However, regarding claims 1 and 16, Oesterholt et al does not teach that the set plate can be made of a synthetic resin such as glass fiber reinforced polyamide.

Regarding claims 1 and 16, Park et al teaches that the set plate can be made of a synthetic resin such as glass fiber reinforced polyamide as described in column 1, lines 37-38.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the set plate of Oesterholt et al with the glass fiber reinforced polyamide of Park et al in to provide mirror components that have superior strength and rigidity.

Allowable Subject Matter

3. Claims 3 and 4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claim 3 is allowable over the prior art for at least the reason that the prior art fails to teach or reasonably suggest, "wherein there is provided a flat section for supporting a thrust washer which is formed at an outside periphery of the support shaft base" as set forth in the claimed combination. Claim 4 is also allowable based upon its dependence on claim 3.

The prior art of record teaches a door mirror set plate comprising a resin base plate, a cylindrical support shaft which is vertically provided on the base plate integrally therewith and rotatively supports door mirror body storing a mirror plate; a curved surface section which is embedded around a base of the support shaft on the base plate wherein the curved surface section curvedly connects an external surface of the support shaft with a top surface of the base plate, and wherein the curved surface

section is disposed below the top surface of the base plate. However, the prior art of record does not teach that there is provided a flat section for supporting a thrust washer which is formed at an outside periphery of the support shaft base and there is no motivation or teaching to modify this difference as derived.

Response to Arguments

5. Applicant's arguments filed 11 April 2005 have been fully considered but they are not persuasive.

The Applicant argues that while Oesterholt discloses a first groove 153 that connects to the base shaft 101 via fingers 103, the Applicant submits that the first groove 153 does not curvedly connect a top surface of the base flange 102 to the base shaft 101. Instead, the Applicant maintains that the first groove 153 connects to the fingers 103 of the base shaft 101 at an angle. Therefore, the Applicant submits that Oesterholt fails to disclose or suggest the feature of a curved surface section which is embedded around a base of a support shaft on a base plate, wherein the curved surface section curvedly connects an external surface of the support shaft with a top surface of the base plate as recited in claim 1.

In response to this argument, the Examiner would like to point out that the rejection is based upon the broadest reasonable interpretation of the claim limitations. The Examiner maintains that element 153 of Oesterholt reads on the feature of the curved surface section, which is embedded around a base of the support shaft on the base plate (element 102). The radially projecting fingers 103 can be taken to read as being the base of the support shaft since the reference indicates that the fingers are a

part of the support shaft (see column 6, lines 30-36) and are located at the bottom of the shaft as shown in Figure 5A. Examiner would like to point out that a base is defined as, "the bottom of something considered as its support" (Merriam-Webster's Collegiate Dictionary, 10th ed., 1999). Therefore, the element 103 can be taken to read on the feature of a "base". Furthermore, as shown in Figure 5A, element 153 (i.e., the curved surface section) can be taken to read as curvedly connecting an external surface of the support shaft with a top surface of the base plate. As shown in Figure 5A, element 153 has a curvature "connects" an external surface of the support shaft with a top surface of the base plate. Examiner would like to point out that the definition of "connect" is "to become joined" (Merriam-Webster's Collegiate Dictionary, 10th ed., 1999). Therefore, given the broadest reasonable interpretation, the curved surface section or groove joins the external surface of the support shaft to the top surface or face (150) as shown in Figure 5A.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2872

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alessandro V. Amari whose telephone number is (571) 272-2306. The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ava/vj
15 June 2005


MARK A. ROBINSON
PRIMARY EXAMINER